

South Dakota Board of Chiropractic Examiners Meeting
Teleconference
June 10, 2020

UNAPPROVED MINUTES

The teleconference meeting was called to order at 2:00 p.m. central time. Roll call was taken and the following members were present: Dr. Kathleen Deutsch, Dr. Rick Odland, Dr. Jay Ortman, Dr. Bill Blickensderfer and Bev McCracken along with Marcia Walter, Executive Director. Board attorneys Bill Fuller and Molly Beck as well as Mr. Bob Mercer were also on the call for a portion of the meeting. There was a technical glitch so the meeting recording failed.

M/S Ortman/Odland to approve amended agenda to include request for special licensure
Verbally passed by roll call of members present, no opposition

M/S Odland/Bev to take agenda out of order and move use/sale of CBD discussion up on the agenda
Verbally passed by roll call of members present, no opposition

M/S Blickensderfer/McCracken to approve secretary's report from March 18, 2020 meeting
Verbally passed by roll call of members present, no opposition

M/S McCracken/Odland to go into executive session at 2:10 p.m. per administrative law 1-25-2 (3) for discussion of use/sale CBD oil
Verbally passed by roll call of members present, no opposition

M/S Ortman/McCracken to come out of executive session at 2:25 p.m.
Verbally passed by roll call of members present, no opposition

M/S McCracken/Odland to request attorney general opinion regarding the legality of chiropractors selling and/or using CBD oil pursuant to HB 1008
Verbally passed by roll call of members present, no opposition
Attorneys as well as Mr. Mercer disconnected from the call

Open forum – no public comments

Marcia Walter presented board executive director informational report. Licensee update as of 5/29/20: Active DC's – 450; Inactive – 73; CA's 270; X-ray techs – 62. We are in line to convert to online renewal toward the end of the year. Will find out a more definitive timeframe in July. Several DC's have been working on their CE's during the COVID pandemic time with a number of them already completing the 40 hour requirement. The board was asked for consideration of extending the CPR requirement for those whose cards expire in 2020 due to COVID and decreased testing availability.

M/S Odland/Ortman to extend the deadline for CPR renewal if need be to January 2021 for those whose CPR expires in 2020
Verbally passed by roll call of members present, no opposition

Marcia Walter presented the financial update. The state account currently has a balance of \$399,944.36. The current fiscal year ends June 30, 2020.

M/S Blickensderfer/McCracken to approve financial report as presented
Verbally passed by roll call of members present, no opposition

The board discussed reducing the 2021 renewal fee of active chiropractors due to significant decline in practices in respect to the Covid19 pandemic and the board cash balance being able to withstand the

decrease. Marcia reminded the board that if a decrease is approved, it would need to go through the rules process to change the fee before it would become effective. Also, the renewal fee can be reviewed yearly and changed as the board sees fit but again would need to go through the rules process before making any adjustments.

M/S McCracken/Ortman to reduce the current \$200 renewal fee to \$100 for active chiropractors only

Verbally passed by roll call of members present, no opposition

There haven't been any peer reviews received since last meeting. No further action taken.

Dr. Odland, investigative officer, presented the investigative report.

M/S Blickensderfer/Ortman to approve investigative case #02/18 and #02/19

Verbally passed by roll call of members present, no opposition

The board did a final review of proposed changes in several areas of chiropractic administrative rules with majority of the areas addressed being clean-up of language and combining of duplicate language. It was noted that the general authority for CA and X-ray updates needed to be added in the packet presented as well as changing the renewal fee.

M/S Blickensderfer/Odland to begin the rule promulgation process with the draft administrative rules packet presented

Verbally passed by roll call of members present, no opposition

M/S Ortman/Blickensderfer to approve preceptorship of Dylan Brende with Dr. Chris Mikkelson and Amy Jo Munsterman with Dr. Chad Munsterman

Verbally passed by roll call of members present, no opposition

M/S Blickensderfer/Odland to approve preceptorship of Elise Nolte and Allison LaVoie with Dr. Bob McIntosh at this point in time

Verbally passed by roll call of members present, no opposition

M/S Ortman/Odland to approve activation of inactive license for Dr. Thomas Orth

Verbally passed by roll call of members present, no opposition

M/S McCracken/Blickensderfer to approve activation of inactive license for Dr. Tim Rabb

Verbally passed by roll call of members present, no opposition

M/S McCracken/Ortman approve matriculants 62001, 62002, 62003 pending completion of their files

*Verbally passed by roll call of members present, no opposition
Due to Covid19 restrictions, the board will be having a zoom conference with the new doctors for the matriculation process*

M/S McCracken/Blickensderfer to deny the request received from Dr. Bryce Brandt for early licensing due to testing requirements not yet being completed for the practice of chiropractic in South Dakota

Verbally passed by roll call of members present, no opposition

With no further business,
M/S Odland/McCracken

to adjourn meeting at 3:45 p.m.

Verbally passed by roll call of members present, no opposition

Respectfully submitted,
Marcia Walter
Executive Director

These unapproved draft minutes are respectfully submitted at 2:40 p.m. on June 15, 2020 by
Marcia Walter, Executive Director

1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.